

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

**IN RE: ABBOTT LABORATORIES, ET AL.,
PRETERM INFANT NUTRITION PRODUCTS
LIABILITY LITIGATION,**

MDL No. 3026

Master Docket 22 C 71

Judge Rebecca R. Pallmeyer

This Document Relates to:

All Matters

ORDER

The court conducted a case management conference on October 16, 2025 and entered the following rulings:

1. The court confirms the parties' understanding and agreement that they have leave of court to take the deposition of the father of D.B. in custody.
2. The parties addressed a potential dispute about the effect of dismissal of a scheduled bellwether trial. Although they have not been able to agree about the language of a stipulation, the court understands their positions are in fact in accord: if a case slated for a date certain is dismissed, Abbott will have the option to proceed to trial on a case scheduled for a later date. This may require adjustment of discovery and pretrial deadlines; it is also possible that the trial date itself will need adjustment. The court is confident the parties can work cooperatively in the event this is necessary and will make every effort to use trial dates already set aside.
3. The parties agree that counsel for Mead Johnson must be included in discussions about scheduling a third wave of bellwether trials.
4. By way of a stipulation, motion practice, or potentially a further Case Management Order, Mead Johnson intends to seek dismissal of (a) wrongful death cases that are in some jurisdictions time-barred and (b) cases where infants ingested fortifier only. The parties will meet and confer about an appropriate process and schedule.
5. The parties waive their *Lexecon* rights for purposes of trying bellwether cases before this court.
6. The court would prefer to hear live testimony before making certain Rule 702 rulings. The parties will continue to confer regarding scheduling of such a hearing. Counsel for both Defendants will be involved in those discussions.

ENTER:

Dated: October 21, 2025


REBECCA R. PALLMEYER
United States District Judge